

Appl. No. 09/198,004

Docket No. 97406.00032

REMARKS

Claims 1, 3-6, and 31-47 are pending in the application. The Examiner has rejected claims 1, 3-6, and 31-47 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-14 of U.S. Patent No. 6,812,032. The Examiner has rejected claims 1, 3-6, and 31-47 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-14 of U.S. Patent No. 5,728,351. The Examiner states that a timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome these rejections.

Applicant submits herewith a terminal disclaimer. Applicant requests entry of this terminal disclaimer. Accordingly, Applicant respectfully requests that the Examiner withdraw this rejection.

Applicant also submits a revised Abstract to overcome the objection to the specification.

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicant's attorney hereby authorizes that such fee be charged to Deposit Account No. 50-1402.

Respectfully submitted,

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